

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CoStar Realty Information, Inc., *et al.*  
*Plaintiffs*

\*

\*

vs.

\*

Civil Case No. 8:08-cv-00663-AW

Mark Field d/b/a Alliance Valuation Group,  
*et al.*

\*

*Defendants*

\*

\* \* \* \* \*

**ANSWER OF MARK FIELD**

Mark Field d/b/a Alliance Valuation Group, a defendant, by his counsel,  
answers the lawsuit filed against him by the plaintiffs and says:

1. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 1.
2. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 2.
3. Defendant admits the allegations contained in paragraph 3.
4. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 4.
5. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 5.
6. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 6.
7. Defendant is without knowledge or information sufficient to form a belief  
as to the averments of paragraph 7.

8. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the first and third sentences of paragraph 8. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the second and fourth sentences of paragraph 8 as they pertain to the other defendants. The remaining allegations of paragraph 8 are denied.

9. The allegations contained in paragraph 9 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 9 are denied.

10. The allegations contained in paragraph 10 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 10 are denied.

11. The allegations contained in paragraph 11 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 11 are denied.

12. The allegations contained in paragraph 12 are legal in nature and a response is not required thereto; however, to the extent that a response may be required, the averments in paragraph 12 are denied.

13. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 13.

14. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 14.

15. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 15.

16. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 16.

17. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the first sentence of paragraph 17. The remaining allegations of paragraph 17 are denied.

18. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 18.

19. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 19.

20. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 20.

21. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 21.

22. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 22.

23. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 23.

24. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 24.

25. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in sentence 1. .Defendant admits the allegations contained in sentence 2.

26. Defendant denies the allegations in paragraph 26 as stated.

27. Defendant denies the allegations in paragraph 27.

28. Defendant is without knowledge or information sufficient to form a belief as to the averments about the conduct of Gressett, Gateel, or Does contained in paragraph 28. The remaining allegations of paragraph 28 are denied.

29. Defendant denies the allegations in paragraph 29.

30. Defendant denies the allegations in paragraph 30.

31. Defendant denies the allegations in paragraph 31.

32. Defendant incorporates the allegations of paragraphs 1 - 31 as if fully set forth herein.

33. Defendant denies the allegations in paragraph 33.

34. Defendant denies the allegations in paragraph 34.

35. Defendant denies the allegations in paragraph 35.

36. Defendant incorporates the allegations of paragraphs 1 - 35 as if fully set forth herein.

37. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 37.

38. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 38.

39. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the first and second sentences of paragraph 39. The remaining allegations of paragraph 39 are denied.

40. Defendant incorporates the allegations of paragraphs 1 - 39 as if fully set forth herein.

41. Defendant denies the allegations in paragraph 41.

42. Defendant is without knowledge or information sufficient to form a belief as to the averments contained in the first sentence of paragraph 42. The remaining allegations of paragraph 42 are denied.

43. Defendant denies the allegations in paragraph 43.

44. Defendant incorporates the allegations of paragraphs 1 - 43 as if fully set forth herein.

45. Defendant denies the allegations in paragraph 45.

46. Defendant denies the allegations in paragraph 46.

47. Defendant denies the allegations in paragraph 47.

48. Defendant denies the allegations in paragraph 48.

49. Defendant incorporates the allegations of paragraphs 1 - 48 as if fully set forth herein.

50. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 50.

51. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 51.

52. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 52.

53. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 53.

54. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 54.

55. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 55.

56. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 56.

57. Defendant incorporates the allegations of paragraphs 1 - 56 as if fully set forth herein.

58. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 58.

59. Defendant denies the allegations in paragraph 59.

60. Defendant denies the allegations in paragraph 60.

61. Defendant denies the allegations in paragraph 61.

62. Defendant denies the allegations in paragraph 62.

63. Defendant denies the allegations in paragraph 63.

64. Defendant denies the allegations in paragraph 64.

65. Defendant denies the allegations in paragraph 65.

66. Defendant denies the allegations in paragraph 66.

67. Defendant incorporates the allegations of paragraphs 1 - 66 as if fully set forth herein.

68. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 68.

69. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 69.

70. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 70.

71. Defendant is without knowledge or information sufficient to form a belief as to the averments of paragraph 71.

72. Defendant incorporates the allegations of paragraphs 1 - 71 as if fully set forth herein.

73. Defendant denies the allegations in paragraph 73.

74. Defendant denies the allegations in paragraph 74.

75. Defendant denies the allegations in paragraph 75.

76. Defendant denies the allegations in paragraph 76.

77. Defendant denies the allegations in paragraph 77.

78. Defendant denies the allegations in paragraph 78.

79. Defendant denies the allegations in the Prayer for Relief.

#### **1<sup>st</sup> AFFIRMATIVE DEFENSE**

The Complaint fails to state a claim upon which relief can be granted.

#### **2d AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by laches.

#### **3d AFFIRMATIVE DEFENSE**

If plaintiffs suffered the damages alleged, which fact this defendant expressly denies, then all such damage was caused by persons or parties other than this defendant, including plaintiff.

#### **4th AFFIRMATIVE DEFENSE**

If plaintiffs suffered the damages alleged, which fact this defendant expressly denies, then such resulted from other and further reason for which this defendant would not be responsible.

**5th AFFIRMATIVE DEFENSE**

Plaintiff's claim is barred by the doctrines of waiver and estoppel.

**6th AFFIRMATIVE DEFENSE**

Plaintiff's claim is barred by the doctrine of unclean hands or in *pari delicto*.

**7th AFFIRMATIVE DEFENSE**

If defendants committed any wrongdoing, which fact this defendant expressly denies, then plaintiff's claims are barred by an election of remedies.

**8th AFFIRMATIVE DEFENSE**

Defendant has performed each and every duty, if any, owing by law to the plaintiff.

**9th AFFIRMATIVE DEFENSE**

The plaintiffs have not been damaged in the manner or to the extent alleged in the Complaint.

**10th AFFIRMATIVE DEFENSE**

Defendant has not infringed valid copyright registrations which are the subject of the Complaint.

**11th AFFIRMATIVE DEFENSE**

If plaintiff suffered the damages alleged, which fact these defendants expressly deny, then such damages were caused, in whole or in part, by plaintiff's failure to mitigate damages.

**WHEREFORE**, having fully answered the Complaint, defendant prays that the Complaint be dismissed with costs awarded to this defendant and for such other, further, and different relief as the justice of the cause may require.

**DEMAND FOR JURY TRIAL**

Defendant demands a trial by jury on each claim asserted on each defense as triable.

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

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***Attorney for Defendant***

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on **April 21, 2008**, a copy of the foregoing **Answer of Mark Field** was served through the Court's electronic notification service to:

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**Attorney for Co-Defendant Lawson Valuation Group, Inc.**

I further certify that service required by Fed. R. Civ. P. 5 was made, and that a true copy of the foregoing document was sent to the following via pre-paid U.S. mail on April 21, 2008:

Pathfinder Mortgage Company  
23172 Plaza Pointe Drive, Suite 285  
Laguna Hills, CA 92653

Gerald A. Teel Company, Inc.  
974 Campbell Road, Suite 204  
Houston, TX 77024-2813

\_\_\_\_\_/s/\_\_\_\_\_  
R. Wayne Pierce